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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,002	02/27/2002	Alin D'Silva	01-1013	5764

32127 7590 07/12/2005

VERIZON CORPORATE SERVICES GROUP INC.  
C/O CHRISTIAN R. ANDERSEN  
600 HIDDEN RIDGE DRIVE  
MAILCODE HQEO3H14  
IRVING, TX 75038

EXAMINER

AL AUBAIDI, RASHA S

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/084,002

Applicant(s)

D'SILVA ET AL.

Examiner

Rasha S. AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3,5,7-10,12,14,22,24 and 26-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,7-10,12,14,22,24 and 26-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date, \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on April 26, 2005 has been entered. Claims 1, 5, 7, 8, 12, 14, 22, 24, and 26-27 have been amended. Claims 4, 6, 11, 13, 51-21, 23, and 25 have been canceled. Claims 28-37 have been added. Claims 1-3, 5, 7-10, 12, 14, 22, 24 and 26-37 are pending in this application, with claims 1, 8, 22, 27, and 32, being independent.

### ***Claim Objections***

2. Claim 26 is objected to under 37 CFR 1.75(c) as being in improper form because claim 26 depends on claim 25, which a canceled claim.

### ***Claim Rejections - 35 USC § 103***

3. Claims 1-3, 5, 7-10, 12, 14, 22, 24, and 26-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pattison et al (US PAT # 6, 058,163) in view of Frey et al (US PAT # 6, 535, 596).

Regarding claim 1, Pattison teaches a method, comprising: receiving at least one analysis request from a requesting party (this reads on the supervisor submitting a request to place a monitoring session, see col. 5, lines 37-47 and col. 6, lines 10-12); receiving a request for a call connection from a calling party to a called party (this basically reads on any calls placed to the call center 10 as shown in Fig. 1, from a caller/customer to the agent, see also, col. 2, lines 12-15), the call connection request

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being associated with at least one analysis request (this reads on customers making calls to ask questions or to requests particular services, see col. 1, lines 30-32); recording dial stream information derived from the call connection while the call connection is established (this reads on recording all the information about the call from the beginning to the end of the session, see col. 2, lines 34-36 and col. 5, lines 3-6); and providing the result to the requesting party (see col. 11, lines 6-7).

Pattison does not specifically teach analyzing the recorded dial stream information to generate a result for the at least one analysis request.

However, Frey teaches a system designed to process calls based on subscriber profiles information. For example, when a calling party enters or pushes a button on their keypad, the access module 117 analyzes the entered digits in order to recognize the type of information or services that are requested by the calling party (see col. 6, lines 43-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of analyzing the entered information in order to generate a result, as taught by Frey, into the Pattison system in order to provide speed and convenience.

Claims 8, 22, 27, 31-33, and 37 are rejected for the same reasons as discussed above with respect to claim 1. Claim 27 recites "means for requesting permission to

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provide the result of the analysis to a recipient". This may simply read on authentication step that is performed prior to allowing the supervisor to request the monitoring event (see col. 5, lines 37-47 and col. 6, lines 36-39 In Pattison). Pattison perform the function of permission and authentication for the monitoring session first prior to the acceptance of a monitoring request from the supervisor. However, the claimed invention asks for the permission to submit the requested information after it performs conducting this information and prior to the transmission of this information to the requesting party. These two features lead to the same conclusion, which is providing the requested information to the authorized person.

Regarding claims 2 and 9, Frey teaches at least one analysis request is associated with at least one product or service (see col. 4, lines 12-18).

Regarding claims 3, and 10, Frey teaches the result for the analysis request determines the level of interest in the at least one product or service (this basically reads on providing the subscriber with the service or the preference that he/she desired, such as the language or the dialing preference (using keypad or speaking), see col. 5, lines 17-20.

Regarding claims 4, 11, 18 and 23, Frey teaches determining a response to the request for the call connection (this basically reads on providing the caller the specific request or service required, see for example, col. 9, lines 42-56); and recording the

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response to the request for the call connection (this is inherent). For claim 23, the claimed processor reads on the call behavior 130 (see col. 5, lines 2-40).

Claims 5, 12, 24 and 34 are rejected for the same reasons as discussed above with respect to claim 8.

Regarding claims 7, 14, and 26, Frey teaches billing the recipient and/or the receiving party for the result (see col. 8, lines 10-42).

Regarding claim 28, Pattison teaches the at least one analysis request is received as a data transmitted over a data network (see col. 4, lines 30-50).

Regarding claims 29 and 35, Frey teaches the dial stream information includes calling party name, called party number, and duration of the call connection (this reads in general on the calling and the called party profile, see col. 5, lines 8-11). Recording the duration of the call is inherent since the reference has to perform a billing for the services.

Claims 30 and 36 are rejected for the same reasons as discussed above with respect to claim 29. Also, see caller ID information on col. 21 in Frey.

***Response to Arguments***

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4. Applicant's arguments filed 04/26/2005 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Silverman (US PAT # 6, 389, 113) teaches a technique for monitoring calls placed to the telephone number associated with the party under surveillance (abstract of the invention).

Low et al (US PAT # 6, 539, 082) teaches a billing system for a telecommunication network that uses monitoring software agent to monitor messages.

Bell (US PAT # 4, 013, 839) teaches a system for monitoring dialed numbers.

Pons et al (US PAT # 5, 805, 670) teaches notifying pre-selected recipients (such as friends or family who are selected by the subscriber) about the placement of a 911 call. Information regarding the 911 call and the subscriber will be provided to the recipient (s). See abstract, col. 3, lines 1-20, col. 4, lines 16-19 and col. 8, lines 32-35.

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6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar, can be reached on (571) 272-7488.

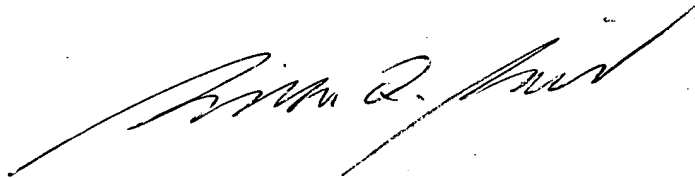
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Examiner**  
**Rasha S. Al-Aubaidi**  
**Art Unit 2642**  
**07/08/2005**

A handwritten signature in black ink, appearing to read 'Bing Q. Bui', written in a cursive style.

**BING Q. BUI**  
**PRIMARY EXAMINER**